

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

REGINALD TIMOTHY BRADSHAW,

Plaintiff,

v.

GRETCHEN WHITMER, et al.,

Defendants.

Case No. 1:21-cv-822

HON. JANET T. NEFF

OPINION AND ORDER

Plaintiff, proceeding *pro se*, initiated this action on September 22, 2021, seeking declaratory and injunctive relief prohibiting Defendants from enforcing Michigan's Sex Offender Registration Act (SORA) against him. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (R & R), recommending that Plaintiff's complaint be dismissed for failure to state a claim on which relief may be granted. The matter is presently before the Court on Plaintiff's objections to the R & R. In accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(3), the Court has performed de novo consideration of those portions of the R & R to which objections have been made. The Court denies the objections and issues this Opinion and Order.

The Magistrate Judge determined that Plaintiff's claims fail for three reasons: (1) Plaintiff cannot maintain the present action because he is a member of the class in *Does #1-6 v. Snyder*, No. 2:16-cv-13137 (E.D. Mich.); (2) Plaintiff cannot challenge the rulings in the Eastern District case in this forum; and (3) Plaintiff's claims are moot because he has already obtained, in the Eastern

District, the very relief he seeks in this case. Plaintiff fails to demonstrate any factual or legal error in the Magistrate Judge's analysis or conclusion. In this case, Plaintiff seeks declaratory and injunctive relief declaring the enforcement of 2006 and 2011 amendments of SORA unconstitutional. This was one of the issues decided in *Does #1-6 v. Snyder*, No. 2:16-cv-13137 (E.D. Mich.), and it is undisputed that Plaintiff is a member of the class. Therefore, this Court adopts the Magistrate Judge's Report and Recommendation as the Opinion of this Court.

A Judgment will be entered consistent with this Opinion and Order. *See* FED. R. CIV. P. 58. Because this action was filed *in forma pauperis*, this Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Accordingly,

IT IS HEREBY ORDERED that the Objections (ECF No. 9) are DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 8) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Plaintiff's complaint is DISMISSED for failure to state a claim on which relief may be granted.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith.

Dated: October 28, 2022

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge